

Remarks

Reconsideration of the application is respectfully requested.

Claims 1, 2 and 8-10 are pending in the application, with claims 1 and 9 being the independent claims. Claims 3-7 have been cancelled without prejudice or disclaimer.

Initially, it is noted that the Office Action neglected to indicate that claim 10 is pending.

The Office Action on page 2 objects to the specification as failing to provide proper antecedent basis for the claimed subject matter. Applicant has amended the claims to remove the claimed subject matter that was lacking antecedent basis in the specification.

Accordingly, Applicant respectfully requests that this objection be withdrawn.

The Office Action, on pages 2-3, rejects claims 1-2 and 8-9 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office Action asserts that the specification does not describe a resident application that runs continuously. Claims 1 and 9 have been amended to this remove this feature and are now in condition for allowance. Claims 2 and 8 depend directly from claim 1 and are therefore allowable as being dependent from an allowable claim. Accordingly, Applicants respectfully request that this rejection be withdrawn

The Office Action, on page 3, rejects claims 1-2 and 8-9 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office Action asserts that claims 1 and 9 include the limitation of using information saved upon execution of a transaction by the downloaded application when the application cannot be downloaded from the Web server and it is unclear how a transaction can be executed by the downloaded

application when the application cannot be downloaded. Claims 1 and 9 have been amended to more clearly describe the invention and eliminate the aforementioned limitation from the claims. Hence, claims 1 and 9 are now in condition for allowance. Claims 2 and 8 depend from claim 1 and are allowable as being dependent from an allowable claim. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

Dated: August 14, 2004



Michael A. Sartori, Ph.D.
Registration No. 41,289
Daniel G. Vivarelli, Jr.
Registration No. 51,137
VENABLE LLP
P.O. Box 34385
Washington, D.C., 20043-9998
Telephone: (202) 344-4000
Facsimile: (202) 344-8300

MAS/DGV
#570461